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LEGISLATIVE NOTES AND REVIEWS

The Illinois Legislature of 1917. The 50th general assembly of Illinois met on January 3 and adjourned on June 29, 1917. In both houses the Republicans were in a majority and the work of organization was agreed upon before the houses met. The promptness of organization was in striking contrast with conditions in 1913 and 1915, when weeks were consumed before the house of representatives was able to elect a speaker. In 1913 delay in the organization of the house of representatives was due in large part to the fact that no one party had a majority, but in 1915 with the Republicans in a majority, the "wet" and "dry" issue was stronger than political lines.

With prompt organization the general assembly was in a position to act effectively and its record of important legislation is the best in any session of recent years. The first important enactment in point of time and the most important single enactment of the session is the civil administrative code which became a law on March 7, and whose terms became effective July 1, 1917.

The civil administrative code substantially reorganizes the administrative machinery of the state. The measure was based upon an investigation made by an efficiency and economy committee created by the 48th general assembly in 1913. This committee under the chairmanship of Senator Walter I. Manny, selected Prof. John A. Fairlie of the University of Illinois as director and prepared a careful and comprehensive report upon all of the state's administrative activities. This report was submitted to the general assembly in 1915 together with drafts of bills, but the bills were presented somewhat late in the session and received little consideration. Governor Frank O. Lowden made his campaign for the Republican nomination and for election largely upon the issue of a state administrative reorganization. Upon his election in November, 1916, he at once began tentative drafts of a measure which would bring about this reorganization, and when the legislature met early in January, 1917, a tentative measure was already in form for consideration. Separate committees were constituted in both the house and senate for the consideration of the proposed administrative consolidation; a bill was agreed upon by the house com-

mittee, was passed, and with some amendments enacted by the senate. Upon the report of a conference committee, a bill known as the "Civil Administrative Code" was enacted, and this bill received the governor's approval on March 7.

This code consolidates into nine departments fifty or more functions and departments previously independent of each other. The consolidation is by no means complete, and many of the state functions remain independent of any one of the newly organized departments, but Illinois through this measure has accomplished the most thoroughgoing administrative reorganization that has yet been achieved in any state. The code has left as it stands the whole tax situation, and Illinois is very badly in need of a small central tax commission, but it seemed necessary that this wait, inasmuch as to attempt an administrative reorganization and a reorganization of the tax system at the same time might well have caused the failure of both.

Under the new code the state government is divided into nine principal departments: finance, agriculture, labor, mines and minerals, public works and buildings, public welfare, public health, trade and commerce, registration and education. At the head of each is a director who in general has complete supervision over its work. Several boards independent of the directors are continued, such as the public utilities commission, and an industrial commission for the administration of the workmen's compensation act. A number of other boards or commissions are provided, but in general the boards other than the ones specified above are advisory in character, the final authority for action resting in the director. For the five normal schools a different plan was necessary. Each of these has until the present time been under the control of a separate board. The five are now placed under the control of a single board, with the director of registration and education as chairman, and with the superintendent of public instruction (a constitutional officer) as secretary.

This consolidation of independent state agencies may properly be regarded as the most important single thing done by the code. However, two other things of importance should be mentioned: (1) As a part of the plan of consolidation, provision is made for substantially all purchases for the state government and its institutions through the new department of public works and buildings. (2) Through the department of finance, budget information is to be collected and a budget is to be submitted to the general assembly by the governor at the beginning of each biennial session. The plans for central purchasing

and for a budget could hardly have been carried out without the consolidation of previously independent departments and offices.

This reorganization does not affect either the constitutional or the present statutory functions of the state officers created by the constitution. Other than the governor there are now six such offices: The lieutenant-governor, the attorney general, the auditor of public accounts, the superintendent of public instruction, the secretary of state and the state treasurer. The lieutenant-governor has no administrative functions, but each of the other constitutional state officers has large functions under the constitution and other functions conferred by statute; for example, the auditor of public accounts has supervision over state banks, and the secretary of state issues licenses for motor vehicles. The state library is also under the supervision of the secretary of state.

A number of offices or departments created by statute are not brought under the new administrative organization. The University of Illinois retains its independent organization; the board of equalization remains the state tax authority; the adjutant-general is not included in the new organization nor is the state civil service commission. Something can still be done by statute to complete the administrative reorganization, and to bring all the executive agencies of the state under the nine new departments. However, so far as the constitutional state officers are concerned, a change can be made only by an amendment or revision of the constitution.

The civil administrative code is the most important enactment relating to governmental organization, but several other important actions were taken by the general assembly. Possibly the most far-reaching was that submitting to a popular vote the question of calling a constitutional convention. This vote will take place in November, 1918, and if a majority of those voting at the 1918 election favor a convention, one will be assembled some time during the succeeding year.

The state civil service law was materially revised, the most important change being that which does away with the requirement of a hearing in order to remove any employee who is under the operation of the law. Hearings are permitted under the amended law only if it is alleged that a removal was made for political, racial or religious reasons.

With respect to absent voting, two measures were enacted: One relating to absent voting generally, and the other providing for absent

voting by persons in the military service. With respect to voting, another important measure was one which provides for less frequent general registration and for central registration between the regular election periods, in the city of Chicago.

From the standpoint of local government two measures of importance were enacted: one abolishes the township collector in substantially all cases and concentrates the work into the hands of the county collector; another substitutes in townships and road districts a single highway commissioner for three commissioners.

In the field of social legislation there were several important enactments. Perhaps the most important measure in this field is that which makes the plan of workmen's compensation compulsory for extra-hazardous employments. Another measure of importance is a revision of the child labor law, which imposes materially greater restrictions upon the employment of children under the age of sixteen years. A measure which requires the payment of wages in cash or only in orders redeemable in cash is another of material interest to labor.

For some time there has been a vigorous agitation for a stringent regulation of private banking, and this agitation was strengthened by the failure in recent years of a number of private banks. A measure enacted in 1917 will entirely prohibit private banking after January 1, 1921, if the measure is ratified by the people in November, 1918. Under the constitution of Illinois an amendment to the banking law must receive popular approval before it comes into effect.

By a strict regulation of small loans, accompanied by the licensing of those engaged in the business of making such loans, and by so-called "blue sky" legislation, which seeks to prevent fraud in the sale and distribution of stocks, bonds and other securities, Illinois places itself in line with a number of the more progressive states in these respects.

Another piece of social legislation of some importance is that which provides for a penal farm for lesser offenders, so that such offenders may be removed from county jails and dealt with in places where reformation is more likely to be accomplished.

A piece of legislation which took a great deal of the attention of the general assembly, and which attracted wide attention, was the proposal for a \$60,000,000 bond issue for good roads. This measure outlines in detail a scheme of road construction and provides for a method of issuing bonds and meeting principal and interest upon such bonds. Under the constitution this plan, involving as it does the creation of a state debt, must be submitted to the people of the state before it is to

become effective, and must receive a majority of the votes cast for members of the general assembly at the election to be held in November, 1918.

Within the field of educational legislation, two measures of somewhat general interest were enacted: One substantially requires uniformity of prices of text books sold within the state and forbids frequent changes in text books; the other provides a retirement and pension fund for teachers in state institutions.

A general medical practice act is the most important enactment within the field of medical legislation, although another measure of some importance is that which permits a consolidation of towns or road districts into larger areas for local health administration. Perhaps within the field of sanitary legislation should be mentioned a measure enacted for the purpose of regulating the cold storage of articles of food, although this regulation is also for other than purely sanitary purposes.

The war consumed a good deal of the time of the Illinois general assembly of 1917 and made necessary several pieces of additional legislation. Much of this legislation was in the form of appropriations, but a measure was passed creating a state council of defense, another providing for a reserve militia to take the place of the organized national guard which is called into active service, and still another measure amends the present military and naval code in several essential respects in order to obtain a more effective military organization and better sanitation in military camps.

Several special investigating commissions were authorized: (1) a health insurance commission, to investigate causes of sickness and accidents not compensated by the workmen's compensation law; (2) an industrial survey commission is created for the purpose of studying the conditions of industry in which women are engaged as workers; (3) by joint resolution of the two houses a nonpartisan commission is authorized to formulate necessary legislation for the revision of the primary election and election laws of the state; but as no appropriation is carried for this investigation, the work if undertaken must be done voluntarily; (4) a pension laws commission is created, to continue the investigation begun by an efficient commission appointed under an act of 1915. The commission appointed under an authorization of two years ago made an important report, and the new commission will be substantially a continuation of the old.

The general assembly of 1917 set a new standard of appropriations,

the total for the biennium 1917-1919 amounting to \$50,558,441, although the rate of increase of state expenditures was materially reduced as compared with previous sessions. The appropriations in 1911 were nearly \$30,000,000, in 1913, about \$38,000,000, and for the biennium 1915-1917, about \$47,500,000. In fact there is an actual reduction of total appropriations, as contrasted with the preceding biennium, when it is taken into consideration that deficiency appropriations of more than one and one-third million had to be made, that heavy military appropriations were necessary, and that through a change in financial policy something like a million and a half of receipts by institutions now are turned into the state treasury and must be reappropriated, this amount being thus added for the first time to the total of legislative appropriations.

For the first time in the history of the state all of the large appropriation measures followed a uniform arrangement with a classification into ten standard items. This uniformity of classification makes it possible to keep uniform accounts for the expenditures of the state government.

In the final legislative result the governor had a decisive influence. The civil administrative code was directly due to his efforts, and without his vigorous advocacy there would not have been any banking legislation or the adoption of a resolution for a vote upon the subject of a constitutional convention. With respect to a number of other measures his positive influence was great.

With respect to the governor's negative share in legislation, a record was made. Vetoes of appropriation bills and items totaled over \$1,000,000, as contrasted with about a million and one-half for the preceding biennium; but upon substantive legislation the number of vetoes exceeded all previous records under the constitution of 1870, and almost equalled the total of Governor John M. Palmer, who in the last session of free local and private legislation in Illinois (1869-70) vetoed seventy-two bills. Altogether, Governor Lowden vetoed sixty-nine bills, of which twenty-four were senate bills and forty-five were house bills. Of the 407 measures passed by the two houses, 69 were vetoed, and 113 were permitted to become law without the governor's signature.

In any review of the work of the Illinois general assembly of 1917, comment should be made upon the business-like conduct of the internal affairs of the two houses. Under competent presiding officers and with conscientious chairmen of contingent expense committees,

unnecessary expenses and unnecessary employees were done away with, the total expenses of the 50th general assembly being less than half that of the regular sessions of the 48th and 49th general assemblies, and this in spite of the fact that the house in the 49th general assembly had made an enviable reputation for economy.

W. F. DODD.

Index to State Legislation. The Bulletin of the Public Affairs Information Service for September 15, 1917, is a partial *Index to Legislation*, passed in 22 states in 1917, classified by subjects. A brief summary of some of the more important topics is here presented:

Constitutional Changes. Measures to submit the question of calling a constitutional convention were passed in Illinois, Nebraska and North Carolina. The California legislature submitted 10 constitutional amendments, and the South Dakota legislature submitted 11 constitutional amendments.

Suffrage and Elections. Acts providing for partial woman suffrage were passed in Indiana, Nebraska, North Dakota, Rhode Island and Vermont. All but the last provided for woman suffrage for presidential electors. In Indiana and South Dakota, constitutional amendments for woman suffrage were submitted. Absent voting laws were enacted in nine states: Illinois, Indiana, Maryland, Minnesota, Montana, North Carolina, South Dakota, Texas and West Virginia.

State Administration. In addition to the general consolidation of state departments by the Illinois civil administrative code, partial measures of consolidation were passed in some other states, and a number of new state administrative agencies were created. In Kansas the boards of control, corrections and administration were consolidated into one central board of administration, empowered to employ a state manager. In Rhode Island a penal and charitable commission was established, in place of two boards of control and supply, and charities and correction. In Vermont a director of state institutions was provided, to have charge of charitable and correctional institutions, in place of former boards; and a commissioner of industries was established, consolidating the functions of the industrial accident board and the state factory inspector. In North Carolina a consolidated board of directors for the three state insane asylums was established; and also a state board of charities, with supervision over charitable and penal institutions, and to appoint a commissioner of public welfare.

Highway departments were organized or reorganized in nine states: